

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,  
Plaintiff,

-vs-

ANTHONY SCOTT TOLAN,  
Defendant.

NO. CR-12-0025-WFN-1

ORDER

A pretrial conference and motion hearing was held November 8, 2012. The Defendant, who is in custody, was present and represented by Andrea George; Assistant United States Attorney Matthew Duggan represented the Government. The Court addressed Defendant's Motion for Reconsideration to Accept Plea Agreement Pursuant to 11(c)(1)(C) (ECF No. 480). Both defense counsel and the Government spoke in favor of the Court accepting the plea agreement. The Court is inclined to reject the plea agreement based on Defendant's egregious criminal history and the danger he poses to the public as well as his dire need for treatment and other services, but reserved on the Motion. The Court urged the parties to attempt to renegotiate the plea agreement to a sentence closer to 30 or so months.

The Court has reviewed the file and Motion and is fully informed. This Order is entered to memorialize and supplement the oral rulings of the Court. Accordingly,

**IT IS ORDERED** that:

1. The Court **RESERVES RULING** on Defendant's Motion for Reconsideration to Accept Plea Agreement Pursuant to 11(c)(1)(C), filed October 26, 2012, **ECF No. 48**.

1           2. An additional pretrial conference and motion hearing shall be held **November 19,**  
2 **2012, at 1:30 p.m., in Spokane, Washington. Counsel please note that the hearing date**  
3 **and time is changed from the setting discussed at the hearing.**

4           The District Court Executive is directed to file this Order and provide copies to  
5 counsel **AND TO** United States Probation Officer Gloria Petretee.

6           **DATED** this 8th day of November, 2012.

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8  
9 11-08-12

s/ Wm. Fremming Nielsen  
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WM. FREMMING NIELSEN  
SENIOR UNITED STATES DISTRICT JUDGE